

MANDATE

United States Court of Appeals For the First Circuit

No. 09-2310

MABO
1:00-CV-10981
Judge Zobel

DONNELL THOMPSON

Plaintiff - Appellee

DARREL ALLEN; KEVIN BACCHUS; ANTHONY BOVA; MICHAEL BRAXTON;
DARRYL BUCHANAN; CARLTON BUFORD; RODNEY CHANEY; WILLARD
CLARK; ALEXANDER CINTRON; JAMES CONRAD; WILFRED COOK; DARRELL
DOWDELL; KENNETH EDGE; KENNETH EVANS; DAVID FEENEY; JOHN
FOREMAN; WILLIAM FRYAR; FRENCHMAN GLOVER; DAMIAN GRAY;
ROBERT GUDE; CURTIS HOLLOWAY; ARLEY HOWARD; ROGER HUGHES;
CHARLES INGALLS; ALBERT JACKSON; DARRYL JEFFERSON; ERIC R.
JOHNSON; GERALD JONES; SHERMAN JONES; FREDRICK JOYNER; PERIKLES
KARAKOSTA; ANTHONY LEWIS; MICHAEL LOVE; MICHAEL MCGRATH;
BRUCE MCDUGAL MCDUGAL; GREGORY MCNEIL; CURTIS MITCHELL;
KENNETH MONTGOMERY; MARCEL OLIVER; JEROME PERRY; CEDRIC A.
PHILLIPS; DWAYNE RANDOLPH; RENE ROSARIO; DANIEL SALIBA;
ANTHONY L. SCOTT; SAMPSON SCOTT; RICKY SOUFRANT; STEPHEN ST.
JAMES; EDWARD TIBBS; JERRY TOLBERT; FAURRY VILLATORO; DANA
DARISH; CLIFFORD DEVOE; MICHAEL DUDLEY

Plaintiffs

v.

CORRECTION OFFICER WILLIAM TORRES

Defendant - Appellant

RICHARD J. ROUSE; SUFFOLK COUNTY; RICHARD FEENEY; PATRICK
BRADLEY; CORRECTION OFFICER ARNOLD CORRECTIONS OFFICER
ARNOLD; SERGEANT BALBONI; LIEUTENANT BASIL; CAPTAIN BEMIS;
CORRECTION OFFICER BRINKLEY; CORRECTION OFFICER BURNS;
CORRECTION OFFICER M. BURNS; CORRECTION OFFICER CAMPBELL;
CORRECTION OFFICER CARRASUILLO; CORRECTION OFFICER CARTER;
CORRECTION OFFICER CHIN; CORRECTION OFFICER CLAYTON;
CORRECTION OFFICER COBBS; SERGEANT CURTIS; CORRECTION OFFICER
DEBOYLE; CORRECTION OFFICER DEVER; CORRECTION OFFICER CASH;
CORRECTION OFFICER DIAZ; CORRECTION OFFICER DONOHUE;
CORRECTION OFFICER DOWD; CORRECTION OFFICER EDWARDS;
SERGEANT FARANTINO; LIEUTENANT FOGG; CORRECTION OFFICER
GALLO; CORRECTION OFFICER GANNON; CORRECTION OFFICER GERO;

CORRECTION OFFICER GILLESPIE; CORRECTION OFFICER GORMAN;
CORRECTION OFFICER HADIGAN; CORRECTION OFFICER COREY;
CORRECTION OFFICER COSTELLO; CORRECTION OFFICER COUGHLIN;
CORRECTION OFFICER HICKEY; CORRECTION OFFICER HICKS;
CORRECTION OFFICER HODGE; CORRECTION OFFICER HUBERT;
CORRECTION OFFICER JERROLD; CORRECTION OFFICER JOHNSON;
SERGEANT JULIUS; CORRECTION OFFICER KAISER; CORRECTION OFFICER
KELLY; CORR. CORRECTION OFFICER KENNEALLY; CORRECTION OFFICER
KRISTEN; CORRECTION OFFICER LYDON; CORRECTION OFFICER
MAHONEY; CORRECTION OFFICER MALATO; CORRECTION OFFICER
MATTER; CORRECTION OFFICER MCCRAY; CORRECTION OFFICER
MCDONALD; CORRECTION OFFICER MCGRANE; CORRECTION OFFICER
MCNAMARA; CORRECTION OFFICER MCNEELY; CORRECTION OFFICER
MCNEIL; SERGEANT MELCHIN; SERGEANT MURPHY; CORRECTION OFFICER
NAPOLINO; CAPTAIN O'BRIEN; CORRECTION OFFICER OPONASET;
CORRECTION OFFICER OWENS; CORRECTION OFFICER HAYES;
CORRECTION OFFICER HEALY; CORRECTION OFFICER HERRON;
CORRECTION OFFICER PAGE; CORRECTION OFFICER PINNIX; SERGEANT
POLINO; SERGEANT POWELL; CORRECTION OFFICER POWERS;
CORRECTION OFFICER D. POWERS; SERGEANT RECKER; CORRECTION
OFFICER ROBERTS; CORRECTION OFFICER ROSS; CORRECTION OFFICER
SAVELLO; CORRECTION OFFICER SCHLEYHUBER; CORRECTION OFFICER
SIMPSON; CORRECTION OFFICER SINCLAIR; CORRECTION OFFICER SMITH;
CORRECTION OFFICER TEDESCO; CORRECTION OFFICER TROTMAN;
CORRECTION OFFICER VECCHIARP; CORRECTION OFFICER WHITE;
SERGEANT WHITING; CORRECTION OFFICER WISE; CORRECTION OFFICER
WILSON; CORRECTION OFFICER ZOEBISCH; JOHN DOES; CORRECTION
OFFICER DONAHUE

Defendants

JUDGMENT

Entered: December 10, 2009
Pursuant to 1st Cir. R. 27.0(d)

Upon consideration of appellant's unopposed motion, it is hereby ordered that this appeal be voluntarily dismissed pursuant to Fed. R. App. P. 42(b) with each party to bear its own costs.

Mandate to issue forthwith.

By the Court:

/s/ Margaret S. Carter, Chief Deputy Clerk

cc: Ellen M. Caulo
James M. Davin
Alicia M. Duff
Sean T. Goguen
Theodore H. Goguen
John D. Hanify
Michael G. Lange
Joseph M. Mahaney
Steven D. Morris
Michael R. Perry
Maria F. Romero-Carbone
Kenneth E. Steinfield

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk



Deputy Clerk

Date: 10 Dec. 2009